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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,686	02/22/2002	Faruk Mehmet Omer Eryurtlu	Eryurtlu -3	3747

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Lucent Technologies Inc  
Docket Administrator Room 3J 219  
101 Crawfords Corner Road  
Holmdel, NJ 07733-3030

EXAMINER
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TORRES, JOSEPH D

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 05/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/069,686	<b>Applicant(s)</b> ERYURTLU, FARUK MEHMET OMER	
	<b>Examiner</b> Joseph D. Torres	<b>Art Unit</b> 2133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites, "wherein the decoder is operative to decode said encoded video signals transmitted through air and selectively in inter-frame prediction format wherein the signals represent differences between selected macroblocks in successive frames when a specific difference criterion between said successive macroblocks is not exceeded the decoder also being operative to provide a mode indicator signal indicative of whether or not the last received macroblock was encoded in said inter-frame prediction format frames comprising macroblocks", which lacks proper punctuation and grammatical structure rendering the limitation indefinite.

The Examiner interprets the language as follows --a decoder being operative for receiving encoded video signals produced by an encoder in a transmitter, the encoder being selectively operative to transmit only differences between selected macroblocks in successive frames when a specific difference criteria between said successive blocks is not exceeded; the decoder also being operative to provide a mode indicator signal indicative of whether or not the last received macroblock was encoded in said inter-

frame prediction format frames comprising macroblocks-- which is consistent with the language in the first paragraph on page 2 of the Applicant's specification.

### ***Response to Arguments***

2. Applicant's arguments filed 03/01/2006 have been fully considered but they are not persuasive.

The Applicant contends, "The present invention thus provides a useful means of error detection at the receiver. This clearly distinguishes over Urano which relates to processing at an encoder to produce macroblock information MBT **for transmission** (emphasis added)".

The Examiner disagrees and asserts that Figure 2 in Urano teaches an Encoder/Decoder 10 for use in encoding macroblock information MBT for transmission during write operations and for decoding macroblock information MBT during read operations. Lines 1-20 in col. 9 of Urano discuss what components of the Encoder/Decoder of Figure 8 are used in the encoding operation and col. 9, lines 21-36 in Urano teach what components of the Encoder/Decoder of Figure 8 are used in decoding during read operations. Explicitly, lines 21-25 in Urano recite, "The inverse quantizer 126 and inverse DCT 128 effectively **reverse** the operations of the quantizer 118 and the DCT 116 to **decode** quantized picture data into **original picture data**. The **decoded picture data** is output to the adder 130" [Emphasis Added]. Note: the Encoder/Decoder of Figure 8 is for use on MPEG-1 video data.

The Applicant contends, "Also, in Urano dispersion value comparator 232 in Figure 12 appears to compare outputs from four different dispersion value calculators 216, 226, 228, 230 so as to choose between three different types of inter-frame prediction compression or none during encoding, see column 10 line 52 to column 11 line 2".

That is also incorrect. Col. 9, lines 21-36 in Urano teach that the motion detector 138 and the mode discriminator 136 of Figure 12 are operated under the control of the read controller 134 of Figure 8 during decoding in order to recover data during the read process.

The Applicant contends; "In his response to arguments, the Examiner has cited further portions of Urano, namely column 19 lines 5 to 49 and Figure 31. These are not more relevant than the previously cited portions of Urano. Specifically, as mentioned on column 16 lines 66 to 67, Figure 29 shows an encoder, parts of which are described in column 19 lines 5 to 49 and shown in Figure 31".

The Examiner disagrees and asserts that one of ordinary skill in the art at the time the invention was made would have recognized that Figure 17 is an encoder/decoder for MPEG-2 as Urano teaches in col. 12, lines 9-10 of Urano similar to operation as the encoder/decoder in Figure 8 for MPEG-1 and one of ordinary skill in the art at the time the invention was made would have recognized that the "inverse quantizer 126 and inverse DCT 128 effectively reverse the operations of the quantizer 118 and the DCT 116 to decode quantized picture data into original picture data" [Emphasis Added]

and that the motion detector 150 and the mode discriminator 152 of Figure 17 are operated under the control of the read controller 148 of Figure 17 during decoding in order to recover data during the read process for MPEG-2 video data just as the motion detector 138 and the mode discriminator 136 of Figure 12 are operated under the control of the read controller 134 of Figure 8 during decoding in order to recover data during the read process for MPEG-1 video data.

The Applicant contends, "For completeness, we should mention that the passage of Urano cited in column 14, lines 57 to 60 does not teach comparison of that result with a received mode indicator signal indicative of whether or not inter-frame prediction was applied in compression before transmission. Also, column 14 lines 57 to 60 relates to a different system to that shown in Figure 12".

The Examiner disagrees and asserts that Figure 8 and 17 are analogous encoding/decoding circuit for MPEG-1 and MPEG-2 video data using only a small amount of circuitry that operates distinctly. The Urano patent does not repeat every detail of the description of circuitry in Figure 8 for Figure 17 recognizing that one of ordinary skill in the art at the time the invention was made would have known that circuitry with the same number in Figure 8 is identical to circuitry with the same number in Figure 17. Furthermore, one of ordinary skill in the art at the time the invention was made would have recognized that Figure 21 is the motion detector 150 and the mode discriminator 152 of Figure 17 entirely analogous to the motion detector 138 and the mode discriminator 136 of Figure 12 used in Figure 8.

All amendments and arguments by the applicant have been considered. It is the Examiner's conclusion that claims 1-3 and 5 are not patentably distinct or non-obvious over the prior art of record in view of the reference, Urano; Takashi et al. (US 5767898 A, hereafter referred to as Urano) as applied in the last office action, filed 07/28/2004. Therefore, the rejection is maintained.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Urano; Takashi et al. (US 5767898 A, hereafter referred to as Urano).

35 U.S.C. 102(b) rejection of claims 1-3 and 5.

See the Non-Final Action filed 07/28/2004 for detailed action of prior rejections.

***Allowable Subject Matter***

4. Claim 6 is allowed.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D. Torres whose telephone number is (571) 272-3829. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JOSEPH TORRES  
PRIMARY EXAMINER

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